

**DECLARATION AND POWER OF ATTORNEY - USA PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled LSR receptors, its activity, its cloning and its applications to the diagnosis, prevention and/or treatment of obesity and related risks or complications PCT/IB98/01257  
in International Patent Application No. \_\_\_\_\_, filed August 6, 98, the national phase specification of which is attached hereto;

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) and/or Title 35, United States Code § 365 of any foreign or international application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

Priority  
Claimed

No.: <u>97 10088</u>	Country: <u>France</u>	Date Filed: <u>6.08.1997</u>	<u>YES/NO</u>
No. <u>98 05032</u>	Country <u>France</u>	Date Filed <u>22.04.1998</u>	<u>YES/NO</u>

POWER OF ATTORNEY: I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith (if this application is assigned, I acknowledge that the appointed individuals do not represent me, and that instead they represent the assignee): Louis J. Knobbe, Registration No. 18,780; Don W. Martens, Registration No. 21,107; Gordon H. Olson, Registration No. 20,319; James B. Bear, Registration No. 25,221; Darrell L. Olson, Registration No. 28,247; William B. Bunker, Registration No. 29,365; William H. Nieman, Registration No. 30,201; Lowell Anderson, Registration No. 30,990; Arthur S. Rose, Registration No. 28,038; James F. Lesniak, Registration No. 25,240; Ned A. Israelsen, Registration No. 29,655; Drew S. Hamilton, Registration No. 29,801; Jerry T. Sewell, Registration No. 31,567; John B. Sganga, Jr., Registration No. 31,302; Edward A. Schlatter, Registration No. 32,297; Gerard von Hoffmann, Registration No. 33,043; Joseph R. Re, Registration No. 31,291; John M. Carson, Registration No. 34,303; Andrew H. Simpson, Registration No. 31,469; Daniel E. Altman, Registration No. 34,115; Anita M. Kirkpatrick, Registration No. 32,617; Ernest A. Beutler, Registration No. 19,901; Vito A. Canuso, Registration No. 35,471; William H. Shreve, Registration No. 35,678;

Stephen C. Jensen, Registration No. 35,556; Steven J. Nataupsky, Registration No. 37,688; Michael H. Trenholm, Registration No. 37,743; Craig S. Summers, Registration No. 31,430; AnneMarie Kaiser, Registration No. 37,649; Brenton R. Babcock, Registration No. 39,592; Nancy Ways Vensko, Registration No. 36,298; Jonathan A. Barney, Registration No. 34,292; Ronald J. Schoenbaum, Registration No. 38,297; Richard C. Gilmore, Registration No. 37,335; John R. King, Registration No. 34,362; William S. Reimus, Registration No. 38,279; Christine A. Gritzmacher, Registration No. 40,627; John P. Giezentanner, Registration No. 39,993; Adeel S. Akhtar, Registration No. 41,394; Frederick S. Berretta, Registration No. 38,004; Thomas R. Arno, Registration No. 40,490; David N. Weiss, Registration No. 41,371; James T. Hagler, Registration No. 40,631; Dan Hart, Registration No. 40,637; Lori L. Yamato, Registration No. 40,881; Stephen M. Lobbin, Registration No. 41,159; Richard Kim, Registration No. 40,046; Robert F. Gazdzinski, Registration No. 39,990; R. Scott Weide, Registration No. 37,755; Katherine W. White, Registration No. 37,470; Richard E. Campbell, Registration No. 34,790; Raimond J. Salenieks, Registration No. 37,924; Renée E. Canuso, Registration No. 36,657; Michael L. Fuller, Registration No. 36,516; Neil S. Bartfeld, Registration No. 39,901; and Daniel E. Johnson, Registration No. 37,033.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: BIHAIN Bernard

Inventor's signature 

Date May 12, 99

Residence: 238 Pacific View Lane, Encinitas CA 92024 / U.S.A.

Citizenship: French

Post Office Address: The same as residence

Full name of second inventor: BOUGUELERET Lydie

Inventor's signature 

Date May 12, 99

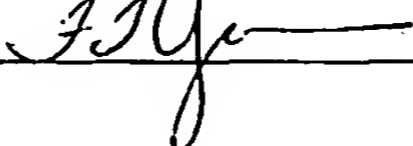
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Residence: 108 avenue Victor Hugo, 92170 Vanves, France

Citizenship: French

Post Office Address: The same as residence

Full name of Third inventor: YEN-POTIN Frances

Inventor's signature 

Date May 12, 99

Residence: 10264 Camino Ruiz n°75, San Diego, CA 92126 / U.S.A.

Citizenship: USA

Post Office Address: The same as residence

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Sixteenth Floor  
Newport Beach, CA 92660-8016

Direct Telephone Calls To:  
Ned A. Israelsen

(619) 235-8550

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : O Hara, E.  
Art Unit : 1646  
Applicant(s) : Bihain, B. et al.  
Serial No. : 09/269,939  
Filed : May 28, 1999  
For : LSR receptor, activity, cloning, and uses for diagnosing, preventing and/or treating obesity and related risks or complications.

Assistant Commissioner for Patents  
Washington, D.C. 20231

REVOCATION OF POWER OF ATTORNEY AND  
NEW POWER OF ATTORNEY

Sir:

GENSET, S.A. and INSTITUT NATIONAL DE LA SANTE ET DE LA RECHERCHE MEDICALE (INSERM) are the assignees of record of an application for letters patent, filed on May 28, 1999, as Serial No. 09/269,939, for an invention entitled *LSR receptor, activity, cloning, and uses for diagnosing, preventing and/or treating obesity and related risks or complications*, by virtue of an assignment by assignors Bernard Bihain, Lydie Bougueleret and Frances Yen-Potin. A true copy of the assignment of the above-captioned application from the inventors to the Assignees is attached thereto. This Assignment represents the entire chain of title of this invention from the Inventors to the Assignees.

GENSET, S.A., a French Corporation, having a place of business at 24, rue Royale, 75008 Paris, France, and INSTITUT NATIONAL DE LA SANTE ET DE LA RECHERCHE MEDICALE (INSERM), a French Institute with its principal operation at 101, rue de Tolbiac, 75654 Paris cedex 13, France, certify that they are the owners of the entire right, title and interest in, to, and under the above-identified application.

GENSET, S.A. and INSTITUT NATIONAL DE LA SANTE ET DE LA RECHERCHE MEDICALE (INSERM) hereby revoke any previous powers of attorney in the subject application, and they hereby appoint the following persons registered to practice before the Patent and Trademark Office as their attorneys with full power of substitution and revocation to prosecute this application and all divisions and continuations thereof and to transact all business in the Patent and Trademark Office connected therewith: the registrants of the firm Saliwanchik, Lloyd & Saliwanchik, A Professional Association, 2421 N.W. 41st Street, Suite A-1, Gainesville, FL 32606-6669, Customer ID No. 23,557.

I request that all correspondence be directed to Customer ID Number 23,557.

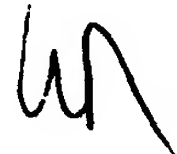
I further request that all telephone communications be directed to:

Frank C. Eisenschenk, Ph.D.  
352-375-8100

GENSET, S.A.

INSERT NAME OF CLIENT/COMPANY

By: Marc VASSEUR

By: Françoise Moisand 

Title: Chairman and C.E.O.

Title: Director of Department of Technology Transfer

Date:   
out 22nd 2002

Date:

Françoise MOISAND  
Directrice  
Département Valorisation  
et Transfert de Technologies

Pour le Directeur Général et par délégation  
INSERM

INSTITUT NATIONAL de la SANTE  
et de la RECHERCHE MEDICALE  
101, rue de Tolbiac  
75654 PARIS CEDEX 13

## CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

GENSET, S.A. and INSTITUT NATIONAL DE LA SANTE ET DE LA RECHERCHE MEDICALE (INSERM) certify that they are the owners of the entire right, title, and interest in the patent application identified above by virtue of an assignment to GENSET, S.A. and INSTITUT NATIONAL DE LA SANTE ET DE LA RECHERCHE MEDICALE (INSERM) dated Insert Date by assignors Bernard Bihain, Lydie Bougueleret and Frances Yen-Potin, a true copy of the assignment being enclosed herewith.

The undersigned have reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) are empowered to act on behalf of the assignee.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

GENSET, S.A.

INSERT NAME OF CLIENT/COMPANY

By: Marc VASSEUR

By: Françoise Moisand

Title: Chairman and C.E.O.

Title: Director of Department of Technology Transfer

Date:

Date:

Françoise MOISAND  
Directrice  
Département Valorisation  
et Transfert de Technologies

Pour le Directeur Général et par délégation  
INSERM

INSTITUT NATIONAL de la SANTE  
et de la RECHERCHE MEDICALE  
101, rue de Tolbiac  
75654 PARIS CEDEX 13

Sole or Joir.

USA Patent Appln.

G-029US01PCT  
For inventions  
made outside USA

**ASSIGNMENT**

In consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration paid to each of the undersigned, to wit:

Insert Name(s)  
of Inventor(s)

(1) BIHAIN Bernard (5) \_\_\_\_\_  
(2) BOUGUELERET Lydie (6) \_\_\_\_\_  
(3) YEN-POTIN Frances (7) \_\_\_\_\_  
(4) \_\_\_\_\_ (8) \_\_\_\_\_

Insert Name of Assignee  
and address

the receipt and sufficiency of which are hereby acknowledged by the undersigned who at the behest of, hereby sell(s), assign(s) and transfer(s) unto,  
1) GENSET - 24 rue Royale, 75008 Paris, France  
2) INSTITUT NATIONAL DE LA SANTE ET DE LA RECHERCHE MEDICALE (INSERM)  
101 rue de Tolbiac, 75013 Paris, France

Title of Invention

(hereinafter designated "ASSIGNEE") the entire right, title and interest for the United States of America as defined in 35 U.S.C. 100, in the invention known as  
LSR receptor, its activity, its cloning and its applications to the  
diagnosis, prevention and/or treatment of obesity and related risks  
or complications  
for which an application for Letters Patent of the United States of America has been executed even date herewith by the undersigned, and the undersigned hereby authorize(s) and request(s) the United States Commissioner of Patents and Trademark to issue said Letters Patent to the said ASSIGNEE, for its interest as ASSIGNEE, its successors, assigns and legal representatives; the undersigned agree(s) that the attorneys of record in said application shall hereafter act on behalf of said ASSIGNEE;

AND the undersigned hereby agree(s) to transfert a like interest, upon request of the said ASSIGNEE, its successors, assigns and legal representatives, and without further remuneration, in and to any and all divisions, continuations, substitutes, and reissues thereof; and to testify and execute any papers for ASSIGNEE, its successors, assigns and legal representatives, deemed essential by ASSIGNEE to ASSIGNEE's full protection and title in and to the invention hereby transferred.

Signed on the date(s) indicated beside my/our signature(s)

**INVENTOR(S)**

concurrently with application

**DATE SIGNED**

**WITNESS(ES)**

1) [Signature] 12 maij 1999 C. T. L.  
Name : BIHAIN Bernard  
2) [Signature] 12 maij 1999 C. T. L.  
Name : BOUGUELERET Lydie  
3) [Signature] 12 maij 1999 C. T. L.  
Name : YEN-POTIN Frances  
4) \_\_\_\_\_  
Name : \_\_\_\_\_  
5) \_\_\_\_\_  
Name : \_\_\_\_\_  
6) \_\_\_\_\_